

# Victim Compensation Connection

A bimonthly publication  
of the California Victim  
Compensation Program

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## From the Desk of Karen McGagin, Executive Officer

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State of California*

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Michael Ramos  
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Karen McGagin  
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Helping California Crime  
Victims Since 1965

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One of the challenges that all of us who serve victims of crime face is finding effective strategies to raise awareness about the services and assistance that is available for victims. Many recent events have taken place which remind us that victims' issues are indeed front and center.

The 2006 Governor and First Lady's Conference on Women was held on September 26th in Long Beach. At the conference, two out of the four special awards to honor women who make a difference went to advocates who have been deeply involved in helping victims. Called the Minerva Awards, this special recognition was given to the following women:

- Jane Alexander, a family member of a murder victim and co-founder of Citizens Against Homicide. She received a Minerva Award for creating a nonprofit organization that, according to the citation, "does remarkable work and provides invaluable support for thousands of surviving family members and friends of murder victims."

- Sandra Orozco Stapleton, Ramona Delgado and Jennie Hernandez, who co-founded WEAVE, the first battered women's shelter in the state. Today, WEAVE provides shelter and other services to more than 6,000 domestic violence victims annually.



We have seen further focus on victim issues at both the federal and state level. On October 6th, the federal government launched the International Terrorism Victim Expense Reimbursement Program (ITVERP). This program is designed to provide compensation for Americans who become victims of terrorist acts overseas. In addition, Governor Schwarzenegger recently signed several bills into law that will create new benefits, enhance existing ones and make other changes that benefit victims.

The recent honors bestowed on advocates and the positive steps to increase benefits are all signs that victims are very much on the public policy agenda. That visibility helps us as we work to get the word out about the assistance the Victim Compensation Program and our partners are ready to provide.

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## Federal Office of Victims of Crime Launches New Program to Compensate American Victims of International Terrorism

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As international terrorism has increased, many U.S. citizens have been killed or injured as they travel abroad. These incidents—such as the bombing of Pan Am flight 103 over Lockerbie, Scotland in 1988—often leave family members facing immediate costly and unanticipated needs. Their needs may include emergency transportation and lodging, medical and mental health treatment, and funeral and burial expenses.

On October 6, 2006, the federal government began providing assistance to survivors and victim family members through the new International Terrorism Victim Expense Reimbursement Program (ITVERP). Operated by the federal Office for Victims of Crime, ITVERP will provide compensation for many of the expenses that result when terrorism kills or injures Americans overseas.

To be eligible to receive compensation, a person must be a citizen of the United States or a U.S. government employee and have suffered direct physical or emotional injury as a result of an act of international

terrorism. The statute that created ITVERP specifies that victims will be reimbursed for actual, out-of-pocket expenses, such as for funeral costs, medical care or mental health services. Losses such as pain and suffering or lost wages are not covered. ITVERP is retroactive to 1988, covering international acts of terrorism that go back to the Pan Am explosion.

ITVERP is designed to be the primary reimbursement source. State victim compensation programs remain in the role of payor of last resort. International terrorism victims are not required to apply to state compensation programs before filing an application for reimbursement under ITVERP.

A maximum of \$50 million annually in funding for ITVERP comes from designating up to five percent of the Crime Victims Fund after the distribution of state grants each year.

More information and the federal application for assistance under ITVERP can be found at <http://www.ovc.gov/publications/infores/intlterrorismreport/welcome.html>.

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## CaRES Marks Important Milestones

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CaRES, the VCGCB's new claims processing system, achieved two milestones in October. All claims submitted directly to the Victim Compensation Program in Sacramento are now being entered into CaRES, and the first bill payment was made from CaRES on October 17.

These two steps in the phased implementation process are an important indicator that the VCGCB is on track to continue shifting claims processing from the legacy VOX system to new CaRES technology that will improve service to claimants.

VCGCB staff shared the good news about the milestones with the Victim Witness Coordinating Council at its October meeting. Staff explained that the goal is to ensure that all the modules are incorporated

and working seamlessly. The current plan envisions rolling out CaRES to the Joint Powers counties first in early 2007. Because CaRES is web-based, once the system is rolled out, counties will be able to access CaRES with their existing hardware using an Internet browser.

In the interim while both VOX and CaRES are being used, the VCGCB is taking steps to make sure its partners have access to the data they need. For example, counties with restitution contracts will receive a weekly spreadsheet with data about claims in the CaRES system so they will have timely information when they ask courts for restitution orders. Victim Witness Assistance Centers may contact the VCGCB staff in Sacramento to check on the status of claims in the CaRES system.



**Crime Victim Advocate Susan Fisher, right, with VCGCB Executive Officer Karen McGagin.**

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## Advisory Committee Hears from Governor's Victim Advocate, Corrections

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Governor Schwarzenegger's Crime Victim Advocate and a parole officer from the California Department of Corrections and Rehabilitation addressed members of the Victim Compensation Program Advisory Committee at its September quarterly meeting.

Susan Fisher, who was appointed in June by the Governor as California's first Crime Victim Advocate, shared her background as Executive Director of the Doris Tate Crime Victims Bureau, Chair of the Board of Parole Hearings and Commissioner on the Board of Prison Terms. She discussed her goals, saying she wants to be not simply a liaison but an active advocate who can raise the visibility of victims and the issues they face.

The Advisory Committee also heard from a parole officer who described the success of a two-year pilot project to track high-risk sex offenders with Global Positioning Satellite technology. The ankle tracking bracelets worn by parolees allow parole officers to continually monitor their whereabouts. The technology

sends notification signals to the parole officer whenever parolees travel near park playgrounds, schools, a victim's residence, or any other location where they should not be present. On September 20th, the Governor signed legislation making the program permanent.

In addition to hearing the two presentations, the Advisory Committee received updates from member organizations and discussed the challenges of obtaining restitution orders. The Advisory Committee's next meeting is scheduled for December 6.

***Susan Fisher wants to be an active advocate who can raise the visibility of victims.***

## Ted Boughton Retires

Deputy Executive Officer Ted Boughton, who spent nearly 13 years managing the Victim Compensation Program, retired at the end of September after 36 years of service to the State. At the September VCGCB Board

meeting, Chair Rosario Marin presented Boughton with a letter from Governor Schwarzenegger that congratulated him for his many years of state service.



Left to right, Windie Scott, designee of Board member Steve Westly; Agency Secretary and Board Chair Rosario Marin; Ted Boughton; and Michael Ramos, Board member and San Bernardino District Attorney.

## Probate Notification Turning into Restitution Dollars

One judge's indignation that a man he sentenced to life in prison for murder was about to receive an inheritance has led to a new source of restitution collection for the Victim Compensation Program.

As Deputy Executive Officer Laura Hill explains it, a judge from a small county who handled both criminal and probate cases called the Victim Compensation Program to alert restitution specialists that the convicted man was in line to receive an inheritance. Taking quick action, the program was able to use the funds to pay the criminal's restitution order.

Recognizing that other criminals might be in a position to inherit funds in larger

counties where no one would make the connection to alert the program, the VCGCB sponsored legislation that requires probate attorneys and executors of estates to notify the program whenever a criminal about to receive an inheritance is in prison or jail.

The new law took effect on January 1, 2006, and the Victim Compensation Program has already received close to 200 notifications. On 11 of those, \$22,000 has been collected. Another 65 collections are pending. The VCGCB continues to work with the criminal justice community and probate attorneys to educate them about the laws provisions.



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## New Laws Enhance Victim Assistance

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Governor Schwarzenegger signed many bills that expand victims' benefits and services. Three bills take effect on January 1st that create enhanced benefits for victims under the Victim Compensation Program.

AB 2413 (Spitzer) was sponsored by the VCGCB. It authorizes the following benefits:

Creates a pilot program through December 31, 2009, that adds loss of childcare services to the expenses that are covered by the Victim Compensation Program. This new benefit provides up to six months or \$5,000 worth of licensed childcare per crime when the caregiver is disabled or killed.

Extends home security enhancement benefits to survivors who were living with a victim who was killed. This also removes the requirement that the qualifying crime must have occurred in the residence where the security equipment is installed. Victims of crimes such as assault and stalking now will be eligible for reimbursement for the cost of home security. The maximum benefit remains at \$1,000.

Allows the Victim Compensation Program to reimburse the cost of crime scene cleanup when any eligible violent crime occurs in a residence and requires the services of a registered trauma scene management practitioner. The maximum benefit remains at \$1,000. Previously, this benefit was only covered in homicide cases.

AB 105 (Cohn) clarifies that one victim per crime can receive relocation expenses and that more than one move may be covered as long as the \$2,000 limit is not exceeded.

AB 2869 (Leno) allows an individual who pays the funeral and burial expenses for a victim to be reimbursed even when the victim was a felon, as long as the individual receiving reimbursement is not a felon. The bill also allows reimbursement for crime scene cleanup expense in cases where the crime victim was a felon but the individual receiving reimbursement is not.

In addition, the Governor signed AB 50 (Leno), which reauthorizes a partnership between the UC San Francisco Trauma Center and the Victim Compensation Program to provide victim services. This urgency bill is retroactive to July 1, 2006. The law includes a provision for \$1.3 million in funding from the Restitution Fund for the 2006-07 fiscal year. The Governor's signing message called for the Department of Finance and VCGCB to explore the feasibility of expanding the program statewide.

Other bills signed into law do not directly affect benefits offered by the Victim Compensation Program but do involve some of the partners with whom the Board works. Some of these bills include:

AB 2005 (Emmerson) adds victim advocates to the people who are protected from having personal information posted online if the intent is to cause bodily harm.

AB 2705 (Spitzer) defines the content for a Victim's Rights Card that law enforcement officers may distribute once their city or county has adopted an authorizing resolution.

AB 1505 (La Suer), which eliminates some of the paperwork for a victim to receive restitution through deductions from an offender's prison trust account.

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## VCGCB Activities

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### September 6-8, 2006

Information about the Victim Compensation Program was available at a booth during the National Adult Protective Services Association's Elder Abuse Conference in San Francisco.

### September 11, 2006

The VCGCB coordinated survivor and victim family attendance and a support group meeting at the Capitol commemoration of the 5th anniversary of September 11th. Governor Schwarzenegger gave the keynote address.

### September 11-13, 2006 and September 14-19, 2006

Program specialists from the Victim Compensation Program's mental health unit staffed an information table at the UC Davis Child Abuse and Neglect Conference in Sacramento, as well as at the Institute on Violence, Abuse and Trauma in San Diego.

### September 17-21, 2006

The National Association of Crime Victim Compensation Boards held its annual conference in Seattle. Karen McGagin, Executive Officer, Tom O'Connor, Chief Deputy Executive Officer, and Chip Skinner, Assistant Deputy Executive Officer, attended conference sessions, including one with John Gillis, Director of the federal Office for Victims of Crime.

### September 18, 2006

The VCGCB made a presentation about restitution at the McGeorge Law School's Crime Victims Legal Clinic in Sacramento.

### September 20, 2006

VCGCB restitution staff provided training to probation and parole officers at the California Correctional Peace Officers Association conference in San Diego.

### September 26, 2006

Karen McGagin, Executive Officer, and other VCGCB staff attended the Governor and First Lady's Conference on Women in Long Beach. Four women were honored for their victim advocacy work.

### October 11, 2006

As a member of the California State Domestic Violence Interagency Collaboration, the VCGCB hosted an information table at the Domestic Violence Day of Awareness at the Capitol.

### October 16-20, 2006

The VCGCB provided eligibility training for new claims processing staff in Joint Powers counties.

### October 18, 2006

The Department of Consumer Affairs hosted a daylong Cyber Safety Summit in Sacramento. The VCGCB was a gold sponsor for the event. The summit focused on protecting children and preventing crimes associated with the Internet.